IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE.

REVIEW PETITION NO. 114 OF 2007
IN
WRIT PETITION NO. 2576 OF 2005

Kumari Ujawala Sopan Bhujbal. ... Petitioner.

V/s.

The Working President,
Bharatiya Bhatke Vimukta Vikas
& Research Institute and ors. ... Respondents.

Dilip Bodake for the applicant.

Rahul Kadam holding for Uday P. Warunjikar for
respondent No.1.

None for respondent Nos.3 and 4.

CORAM: V.C.DAGA AND
D.B.BHOSALE, JJ.

DATED: 7th September 2007.

P.C. :

. Heard Mr.Bodake, learned counsel for the petitioner and Mr.Kadam holding for Mr.Warunjikar, learned counsel for respondent No.1.

2. None for the respondent No.2 in spite of service. None for respondent Nos.3 and 4, though, appearance on their behalf is on record.

3. Mr.Kadam submits that daily board does not show name of Mr.Warunjikar, Advocate. He, therefore, sought short adjournment. Needless to mention that on the last date of hearing i.e. 24th August, 2007 this matter was heard. By consent of parties, that too, at the request of Mr.Warunjikar this matter was adjourned to 7th September, 2007, i.e. today. Notice before admission, returnable after two weeks, was issued with specific mention that, on the next date of hearing, this review petition would be finally heard and disposed of. Mr.Warunjikar had waived service on behalf of respondent No.1. He was, therefore, well aware of the fact that this matter would be coming up for hearing today before this Bench. As a matter of fact, this adjourned date was granted at the request of Mr.Warunjikar. Thus, the prayer for adjournment is rejected.

4. None of the respondents have filed their reply to oppose the review petition.

5. Having seen the order under review dated 26th September, 2005 directing the petitioner to avail alternate remedy of civil suit, it no longer holds good since the remedy of civil suit is barred by limitation.

6. In the above view of the matter, the order under review dated 26th September, 2005 is recalled. Writ petition is restored to file. Registry is directed to place this petition before the regular bench for admission.

7. Review petition, accordingly, stands disposed of with no order as to costs.

(D.B.BHOSALE, J.) **(V.C.DAGA, J.)**